

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

STATE OF NEW JERSEY,

*Plaintiff,*

v.

UNITED STATES DEPARTMENT OF  
TRANSPORTATION, FEDERAL HIGHWAY  
ADMINISTRATION, SHAILEN BHATT, in  
his official capacity as Administrator of the  
Federal Highway Administration, and  
RICHARD J. MARQUIS, in his official  
capacity as Division Administrator of the New  
York Division of the Federal Highway  
Administration,

*Defendants,*

and

THE METROPOLITAN TRANSPORTATION  
AUTHORITY and THE TRIBOROUGH  
BRIDGE AND TUNNEL AUTHORITY,

*Intervenor-Defendants.*

Hon. Brian R. Martinotti

Civ. No. 2:23-cv-03885-BRM-LDW

**NOTICE OF CROSS MOTION FOR  
SUMMARY JUDGMENT BY  
INTERVENOR DEFENDANTS THE  
METROPOLITAN TRANSPORTATION  
AUTHORITY AND THE TRIBOROUGH  
BRIDGE AND TUNNEL AUTHORITY**

**ORAL ARGUMENT REQUESTED**

PLEASE TAKE NOTICE that Intervenor-Defendants the Metropolitan Transportation Authority (the “MTA”) and the Triborough Bridge and Tunnel Authority (“TBTA”) will move before the Honorable Brian R. Martinotti, U.S.D.J., on such date as the Court orders, for summary judgment pursuant to Federal Rule of Civil Procedure 56.

A Memorandum of Law and Proposed Order are attached.

Oral argument is requested pursuant to Federal Rule of Civil Procedure 78.

Dated: December 15, 2023

Respectfully submitted,

/s/ Daniel Chorost

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